

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MUSTAFA SALIH BABAN,)	
)	
Plaintiff,)	Case No. 3:08-0143
)	Judge Trauger/Bryant
v.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

This matter has been referred to the undersigned Magistrate Judge for case management and all other proceedings (Docket Entry No. 2). It appears that the defendant has not filed an answer or a motion for summary judgment, and that the plaintiff has filed a document, which the Clerk has docketed as a motion, requesting that his complaint be dismissed since he has now been naturalized. (Docket Entry No. 12). The undersigned Magistrate Judge construes this motion as a notice of voluntary dismissal pursuant to Rule 41(a)(1)(A)(i). It is the **RECOMMENDATION** of the undersigned Magistrate Judge that the plaintiff's motion to dismiss his complaint be **GRANTED**, and that the complaint be **DISMISSED** on the ground of mootness.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has ten (10) days from service of this Report and Recommendation in which to file any written objections to this Recommendation, with the District Court. Any party opposing said

objections shall have ten (10) days from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within ten (10) days of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. Thomas v. Arn, 474 U.S. 140 (1985), reh'g denied, 474 U.S. 1111 (1986).

ENTERED this 26th day of August 2008.

s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge